

Appln No.

Amdt date December 5, 2005

Reply to Office action of September 6, 2005

REMARKS/ARGUMENTS

Claims 1-15 are pending in this application, of which claims 1, 9 and 12 are independent. Claims 1 and 5 have been amended. Claims 9-15 have been added. The amendments and new claims add no new matter and find full support in the application as originally filed. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Claim Objections

The Examiner has objected to claims 1 and 5 under 37 CFR 1.75(d)(1). Claims 1 and 5 have been amended as suggested by the Examiner to obviate the objections. Accordingly, Applicant respectfully requests that the objection of claims 1 and 5 under 37 CFR 1.75(d)(1) be withdrawn.

Rejections Under 35 U.S.C. § 101

The Examiner has rejected claim 1 under 35 U.S.C. § 101 as allegedly not being directed to the technological arts. Claim 1 has been amended as suggested by the Examiner to obviate the rejection. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 101 be withdrawn.

Double Patenting Rejection

The Examiner has provisionally rejected claims 1 and 3-8 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 and 9 of US Patent Application No. 09/952,656. Applicant will file a terminal disclaimer upon the granting of acceptable allowable subject matter in the instant application.

Rejections Under 35 U.S.C. § 102(b)

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The Examiner has rejected claim 1 under 35 U.S.C. § 102(b) as allegedly being anticipated by the article authored by Osman entitled, "Pressure Analysis of a Fractured Well in Multilayered Reservoirs." Applicant respectfully traverses this rejection. Claim 1 is directed to a computer implemented method for providing production optimization of reservoir completions having a plurality of completed intervals via available production analysis and production logging data which provides a quantitative analysis procedure for reservoir and fracture properties using commingled reservoirs, comprising the steps of: "a. measuring pressures for specific zones in a reservoir; b. selecting a traverse model; c. computing midzone pressures using the traverse model..."

Osman does not disclose measuring pressure in more than one zone or layer. Instead, Osman measures pressure with respect to time. As such, each of the graphs of Osman depicts pressure varying with respect to time, not with respect to space (i.e., from one layer to another layer.) As Osman specifically states, "although the wellbore pressure varies with time, it is the same for all layers" (page 50, left column, last sentence.) Thus, Osman has no need to measure pressure in more than one layer, since his assumption is that all layers have the same pressure. As such, Osman does not disclose, teach or suggest "measuring pressure for specific zones in a reservoir," as is specified by claim 1. Consequently, Osman does not anticipate claim 1.

Accordingly, Applicant respectfully requests that the rejection of claim 1 over Osman under 35 U.S.C. § 102(b) be withdrawn.

Allowable Subject Matter

The Examiner states that "claims 2-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims." Original claims 2 and 5 have been rewritten in independent form as new claims 9 and 12, respectively, as suggested by the Examiner. As such, Applicant respectfully submits that claims 9 and 12 are in condition for allowance. Claims 10-11 and 13-15 depend from claims 9 and 12, respectively. As such, Applicant submits that claims 10-11 and

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13-15 are also in condition for allowance as being dependent from an allowable base claim and for the additional limitations they contain therein.

In view of the above amendments and remarks, Applicant respectfully submits that claims 1-15 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated.

Should any additional fees be due, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 04-1579 (56.0582).

Respectfully submitted,



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